

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re: Chapter 11, No. 15-30404-HJB
SPECTRUM ANALYTICAL, INC.

Debtor

In re: Chapter 11, No. 15-30405-HJB
HANIBAL TECHNOLOGY, LLC

Debtor

MOTION FOR JOINT ADMINISTRATION OF CHAPTER 11 CASES

To the Honorable Henry J. Boroff, United States Bankruptcy Judge:

Now come Spectrum Analytical, Inc. (“Spectrum”) and Hanibal Technology, LLC, (“Technology” or collectively, the “Debtors”), the debtors and debtors-in-possession in the above-captioned matters, through their undersigned counsel, the law firm of Bacon Wilson, P.C., and respectfully request the entry of an Order providing for the joint administration of these cases, for procedural purposes only, pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure and Rule 1015-1 of the Local Rules of this Court. In support thereof, the Debtors respectfully represent as follows:

Jurisdiction

1. Jurisdiction over this Motion is conferred upon this Court under the provisions of 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue of these proceedings and this Motion is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

2. Immediately prior hereto, the Debtors each filed a Voluntary Petition seeking relief under the provisions of Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the District of Massachusetts (the “Court”).
3. The Debtors intend to continue to operate their respective businesses and manage their affairs as debtors-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code. No trustee or examiner has been requested or appointed.
4. Spectrum is a Massachusetts corporation that provides testing and analytical data for a variety of environmental interests. Through its services and programs, Spectrum performs quantitative analysis of soil, water, air samples, and petroleum products and generates data that provides its clients with information relative to the environmental quality of materials being analyzed. Spectrum maintains offices in Agawam, Massachusetts, Tampa, Florida, North Kingstown, Rhode Island, and Syracuse, New York.
5. Technology is a Massachusetts limited liability company that focuses on education, research, and development in environmental technology. Technology also serves as Spectrum’s exclusive international marketing and sales agent.
6. Together, the Debtors operate as a single business enterprise and have identical officers and equity security holders. In addition, the Debtors are jointly and severally liable on the primary secured debt of each of the Debtors.

Relief Requested

7. Rule 1015(b) of the Federal Rules of Bankruptcy Procedure provides, in part, “If a joint petition or two or more petitions are pending in the same court by or against . . . a debtor and an affiliate, the court may order a joint administration of the estates.” The Debtors are affiliates, as that term is defined in Section 101(2) of the Bankruptcy Code, in that more than 20 percent of their voting securities are owned by the same individuals. Therefore, the Court is authorized to grant the relief requested herein.
8. The Debtors submit that the entry of an Order directing joint administration of this case will obviate the need for duplicative notices, motions, applications, and orders, thereby

streamlining the administration of the respective estates and saving the Debtors and parties in interest time and expense.

9. It is the intention of the Debtors to consolidate their cases solely for the purpose of administration at this time. Accordingly, the rights of the parties will not be adversely affected. The Debtors submit that the rights of creditors will be enhanced by the reduced costs resulting from joint administration, and the Court will be relieved of the burden of considering duplicative papers and entering duplicative orders.
10. The Debtors submit that the Chapter 11 case of Spectrum should serve as the lead case, as it serves as the main operating company for the joint business enterprise.
11. Accordingly, the Debtors request that the caption of the cases be modified to reflect the joint administration as follows:

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re:

SPECTRUM ANALYTICAL, INC. and
HANIBAL TECHNOLOGY, LLC

Debtors

Chapter 11, No. 15-30404-HJB
(Jointly Administered)

12. The Debtors are unaware of any facts that may give rise to actual or potential conflicts of interest warranting protection of the interests of creditors of the various estates.
13. On May 1, 2015, this Motion will be served upon the parties required under Local Rule 1015-1(a)(3). Further, pursuant to Local Rule 1015-1(b), as soon as practicable after the Debtors file their respective creditor matrices, and the Court enters an Order on this Motion, the Debtors shall cause a Notice of Joint Administration to be served upon all creditors and parties in interest in the form annexed to the proposed Order filed herewith or in such other form as the Court may direct.

WHEREFORE, the Debtors respectfully request the entry of an Order providing the following relief:

1. Directing that the cases of each of the Debtors be jointly administered pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure;
2. Approving the Form of Notice of Joint Administration appended to the proposed Order on this Motion filed herewith; and
3. Providing such other and further relief as the Court deems just and Proper.

Respectfully Submitted,
Spectrum Analytical, Inc. and
Hanibal Technology, LLC
By Their Attorneys

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April 30, 2015

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re:

Chapter 11, No. 15-30404-HJB

SPECTRUM ANALYTICAL, INC.

Debtor

In re:

Chapter 11, No. 15-30405-HJB

HANIBAL TECHNOLOGY, LLC

Debtor

ORDER ON MOTION FOR JOINT ADMINISTRATION OF CHAPTER 11 CASES

Upon the motion of Spectrum Analytical, Inc. (“Spectrum”) and Hanibal Technology, LLC, (“Technology” or collectively, the “Debtors”), debtors and debtors-in-possession in the above-captioned cases, seeking the entry of an Order directing the Joint Administration of the above-captioned cases for procedural purposes pursuant to Rule 1015 of the Federal rules of Bankruptcy Procedure and Rule 1015-1 of the Local Rules of this Court, after notice and hearing, and for good cause shown, it appearing that the Joint Administration of the cases and estates being in the best interests of the Debtors and the parties in interest of each of their respective estates, it is hereby

ORDERED that the above-captioned Chapter 11 cases be consolidated for procedural purposes and jointly administered by the Court under the lead Chapter 11 case of Spectrum Analytical, Inc.; and it is further

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ORDERED that the caption of the Jointly Administered Case shall be as follows:

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re:

Chapter 11, No. 15-30404-HJB
(Jointly Administered)

SPECTRUM ANALYTICAL, INC. and
HANIBAL TECHNOLOGY, LLC

Debtors

and it is further

ORDERED that the appended notice of entry of this Order be served on all creditors and parties in interest in accordance with Rule 1015-1(b) of the Local Rules of this Court.

Honorable Henry J. Boroff
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

In re:

Chapter 11, No. 15-3040-HJB
(Jointly Administered)

SPECTRUM ANALYTICAL, INC. and
HANIBAL TECHNOLOGY, LLC

Debtors

NOTICE OF JOINT ADMINISTRATION

Be advised that by Order of the United States Bankruptcy Court for the District of Massachusetts dated May , 2015, the Chapter 11 bankruptcy cases of **Spectrum Analytical, Inc.**, case number 15-30404, and **Hanibal Technology, LLC**, case number 15-30405 (collectively the “Debtors”), now pending before this Court shall be jointly administered for procedural purposes only pursuant to Rule 1015 of the Federal Rules of Bankruptcy Procedure, under the lead case of Spectrum Analytical, Inc., case number 15-30404-HJB.

Copies of papers filed by the Debtors will be served upon parties in interest as provided by applicable rule, statute, or order of the Court.

Spectrum Analytical, Inc. and
Hanibal Technology, LLC
By Their Attorneys

/s/ Spencer A. Stone
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May , 2015